

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

In re Application of: **MCCARTHY ET AL.**  
Serial No.: **10/779,402**  
Filed: **FEBRUARY 13, 2004**  
For: **COMMUNICATIONS SYSTEM PROVIDING SERVER LOAD  
BALANCING BASED UPON WEIGHTED HEALTH METRICS  
AND RELATED METHODS**

Sir:

Transmitted herewith is an INFORMATION DISCLOSURE STATEMENT in the above-identified application.


1. ☐ This IDS is submitted under 37 C.F.R. § 1.97. No fee is required.
2. ☐ This IDS is submitted under 37 C.F.R. § 1.97(c). Enclosed is a check in the amount of \$ 180.00.
3. ☒ This IDS is submitted under 37 C.F.R. § 1.97(c) and (e). No fee is required.
4. ☐ This IDS is submitted under 37 C.F.R. § 1.97(d) and (e). Enclosed is a check in the amount of \$130.00 to cover the petition fee.
5. ☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.
6. ☒ Please associate this application with Customer No. 27975.



27975

PATENT TRADEMARK OFFICE

Date: December 13, 2006

  
CHRISTOPHER F. REGAN  
Reg. No. 34,906

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:                    )  
MCCARTHY ET AL.                                    ) Attorney Docket No.  
                                                      ) ID-504 (80226)  
Serial No. 10/779,402                            )  
                                                      )  
Filing Date: FEBRUARY 13, 2004                )  
                                                      )  
For: COMMUNICATIONS SYSTEM                    )  
      PROVIDING SERVER LOAD                    )  
      BALANCING BASED UPON                     )  
      WEIGHTED HEALTH METRICS AND)   
      RELATED METHODS                            )  
\_\_\_\_\_  
                                                      )

SUBMISSION OF AN INFORMATION  
DISCLOSURE STATEMENT UNDER §1.97(c) & (e)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is Form PTO-1449 listing several references for consideration in the examination of the above-identified application. In accordance with current USPTO procedures published 05 AUG 2003, in 1276 OG 55, copies of the U.S. patent documents cited in the form 1449A are not attached. The undersigned would be happy to provide copies of these references if requested. Copies of non-U.S. patent references, if any, are attached. Pursuant to §1.97(e), Applicants, by and through their undersigned attorney, certify pursuant to 37 CFR §1.97(e) that either:

(1) each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

In re Patent Application of:  
MCCARTHY ET AL.  
Serial No. 10/779,402  
Filing Date: FEBRUARY 13, 2004

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(2) no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Applicants respectfully request that the references cited herein be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR §1.97(c) and (e).

Respectfully submitted,



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Attorney for Applicants

**SUBSTITUTE FORM PTO-1449A  
LIST OF PATENTS AND  
APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT**

 Atty Docket:  
Serial No.:  
Applicant:  
Filing Date:  
Group:

 ID-504 (80226)  
10/779,402  
MCCARTHY ET AL.  
FEBRUARY 13, 2004

**U.S. PATENT DOCUMENTS**

Examiner Initials		Document Number	Date	Name	Class	Sub Class	Filing Date
	AA	5,993,038	11/30/99	Sitbon et al.	364	130	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Sub Class	Translation
	AM	EP1211600	6/5/02	EP	G06F	9/50	
	AN	WO01/80002	10/25/01	WO	G06F	9/50	
	AO						
	AP						

**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

	AQ	"The State of the Art in Locally Distributed Web-server Systems", Cardellini et al., ACM Computing Surveys (CSUR), vol. 34, no. 2, June 2002, pages 263-311, XP002400636, NY, USA.
	AR	"A Job Dependent Dispatching Scheme in a Heterogeneous Multiserver Network", Ohta et al., IEICE Transactions on Communications, Communications Society, Tokyo, JP, vol. E77-B, no. 11, 11/1/94, pages 1380-1387, XP000504585, ISSN: 0916-8516.
	AS	"The Design and Performance of an Intelligent Jini Load Balancing Service", Parallel Processing Workshops, 2001. International Conference on 3-7 Sept. 2001 Piscataway, NJ, USA, IEEE, 9/3/01, pages 361-366, XP010558260, ISBN: 0-7695-1260-7.

**EXAMINER:****DATE CONSIDERED:**

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.